

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

BRIAN A., et al.)	
)	
Plaintiffs,)	Civ. Act. No. 3:00-0445
)	Judge Todd J. Campbell
v.)	Magistrate Judge Joe B. Brown
)	
BILL HASLAM, et al.)	
)	
Defendants.)	

**JOINT NOTICE OF THE *BRIAN A.* TECHNICAL ASSISTANCE COMMITTEE
SUPPLEMENT RELATED TO CASE LOADS AND CASE LOAD REPORTING AND
ADDENDUM TO THE AUGUST 27 SUPPLEMENT TO THE MONITORING REPORT**

The parties hereby jointly give notice of the filing of the Supplement Related to Case Loads and Case Load Reporting, provided by the Technical Assistance Committee (“TAC”) on September 17, 2014, attached hereto as Exhibit 1 (including Appendices A and B), and an Addendum to the August 27 Supplement to the Monitoring Report, provided by the Technical Assistance Committee (“TAC”) on September 17, 2014, attached hereto as Exhibit 2.

The supplemental information attached hereto was created by the court-appointed monitor(s) / the Technical Assistance Committee (TAC), pursuant to Section XV.A. of the September 2013 Modified Settlement Agreement and Exit Plan (Dkt. No. 500).

DATED: September 18, 2014
 Nashville, TN

Respectfully Submitted,

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/s/ Ira Lustbader

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CERTIFICATE OF SERVICE

I, Sarah Russo, hereby certify that, on September 18, 2014, a true and correct copy of this Joint Notice of the *Brian A.* Technical Assistance Committee Supplement Related to Case Loads and Case Load Reporting and Addendum to the August 27 Supplement to the Monitoring Report in the case of *Brian A. v. Haslam* has been served on Defendants' counsel Martha A. Campbell, Deputy Attorney General, General Civil Division, P.O. Box 20207, Nashville, TN 37202, and Jonathan Lakey, Pietrangelo Cook, PLC, 6410 Poplar Avenue, Suite 190, Memphis, TN 38119, electronically by operation of the Court's electronic filing system.

DATED: September 18, 2014

/s/ Sarah Russo
Sarah Russo

EXHIBIT 1

**THE TECHNICAL ASSISTANCE
COMMITTEE**

IN THE CASE OF

BRIAN A. V. HASLAM

**SUPPLEMENT RELATED TO CASE LOADS
AND CASE LOAD REPORTING**

September 17, 2014

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SPECIAL CONSULTANT TO THE TECHNICAL ASSISTANCE COMMITTEE

John Ducoff
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TECHNICAL ASSISTANCE COMMITTEE STAFF:

Colleen Gleason Abbott
Michelle Crowley
Jamie McClanahan
Kelly Whitfield

Introduction

At the request of the parties, the TAC has updated the caseload compliance data presented in the chart that appeared on page 181 of the May 2014 Monitoring Report. This updated data covers the first six months of 2014 and is attached as Appendix A.

Also attached as Appendix B is a series of screen shots from TFACTS showing case assignments. They are provided to help clarify a matter that arose during the June 20 Status Conference about the current ability of the Department to use TFACTS to “take a case worker’s name and run a report to see what their caseload was” (Transcript at page 11) or run “a list . . . of how many cases a particular case worker has.” (Transcript at page 19).

Description of “Caseload Assignment Tree” Screen Shots in Appendix B

As is reflected in the TFACTS screen shots provided in Appendix B, both caseload assignments for individual front-line case managers and supervisory workload assignments for front-line case supervisors can be readily determined from TFACTS through what is referred to as the “case assignment tree.” To provide an example of how a manager, supervisor or caseworker can currently use TFACTS to “take a worker’s name and run a report to see what their caseload was,” we selected the name of a particular supervisor and pulled up the case assignment screens that list the case managers that she supervises and how many cases each case manager has.

Screen Shot 1 shows what a team leader (the front-line supervisor) currently sees on the supervisory workload screen. That screen identifies each of the case managers she supervises and indicates in parentheses next to the name of each case manager, the number of family cases on that case manager’s caseload. The team leader can then click on the name of the case manager she is supervising and see the specific family cases currently on each case manager’s caseload.

Screen Shot 2 shows what the team leader sees when she clicks on the names of the case managers on her team. (Every individual case manager is similarly able to access his or her own case assignment screen that lists the family cases currently on his or her caseload, and Screen Shot 3 reflects what the front-line case manager sees when opening his workload screen).

The cases listed in these screen shots are “family cases” indicating the number of families with whom the case manager is working, not the number of children for whom the case manager is responsible. The name associated with the family case is that of the primary parent or relative with whom the Department is working. To determine the number (and view the names) of the

individual children involved in a particular family case, you need to open the family case. Screen Shot 4 shows what is seen when you open the family case.

Screen Shot 5 reflects what one sees in TFACTS when moving up the supervisory structure (towards the main limbs of the case assignment tree): this screen shot shows the assignment screen for the Team Coordinator, whose supervisory workload includes the front-line supervisor featured in Screen Shot 1.

As discussed in previous reports filed by the TAC, the TAC has validated the accuracy of the information contained in these case assignment screens.¹ These TFACTS screens provide case managers, team leaders, and team coordinators the basic day-to-day information they need to keep track of caseloads and make sure that those caseloads stay within manageable limits.

Review of Current Limitations on Fully Automated Aggregate Caseload Reporting and the Way in Which the TFACTS Enhancement Addresses those Limitations

As discussed in previous monitoring reports, because the Department's practice model is family focused, TFACTS was designed around a "family case" structure (rather than the "child case" structure of TNKids, the predecessor computer system). The family case structure appropriately recognizes the reality of a case manager's work, which includes working with the entire family to address the problems that brought a child to the attention of the Department (or working with a substitute family where reunification is not a viable option), not just working with individual children.

The Settlement Agreement, however, uses individual children rather than families as the definition of a "case" for purposes of measuring caseloads, and an inattentiveness to the *Brian A.* reporting needs when that family case structure was designed and implemented in TFACTS has limited the Department's ability to produce fully automated aggregate caseload data that measures *Brian A.* caseloads by the number of individual children for whom a case manager is responsible.

Because multiple DCS staff may be working with a particular family, it is critical for generating aggregate caseload reports from TFACTS that the caseworker who has primary case management responsibilities for a particular child be readily identified as such. Unfortunately, as discussed in previous TAC reports, because of the ambiguity of the case assignment role definitions and designations in the original TFACTS design, the Department has not been able to

¹ In addition, the information contained in these screens has allowed the TAC to validate the caseload data generated by the caseload tracking process that produces the "manual caseload reports" currently used by the Department's Central Office and by the TAC to report on caseload compliance.

generate a fully automated caseload report that matches each child with the case manager who has primary caseload responsibilities for that child.

In other words, because of the way in which the family case structure and case assignment role were originally designed in TFACTS, the Department cannot take the information readily available from the TFACTS case assignment screens (examples of which are contained in Appendix B) and pull that information into a fully automated system-wide aggregate caseload report.

The TFACTS case assignment redesign that is currently in process removes the case assignment ambiguity that is the main source of this problem. In addition, under this enhancement, the case manager is assigned to the specific child or children for whom the case manager is responsible, while still associating that case manager with the family case. For cases assigned or reassigned following the implementation of this enhancement, the Department can readily generate caseload data by both the number of families and the number of individual children for whom the case manager is responsible.

Status of the Implementation of the Case Assignment Enhancement

The Department has been moving forward with necessary changes in the TFACTS case assignment functionality and, in the TAC's view, is now doing so with an appropriate sense of urgency and focus.

The Department is completing the development of the redesigned interface by which case assignments will be made in TFACTS prospectively—that is the processes by which new cases will get entered into TFACTS and case assignments made so that automated aggregate reporting can readily and accurately be generated from those case assignments and caseloads can be accurately reported by both number of individual children and number of families.

The major challenge that the Department is currently addressing is the process for converting case assignment information that was coded into the system under the prior case assignment interface. While there will inevitably be some amount of data cleanup necessary when the new case assignment interface “goes live,” the work that is being done now is intended to reduce the amount of cleanup related to existing cases in the system and allow a smoother transition to the new interface.

The Department has shared and discussed with both Plaintiffs' counsel and the TAC their project work plan for completing this enhancement and consistent with the timeframe of that work plan, the Department is currently testing and refining the scripts for accomplishing the conversion.

The Department continues to engage the TAC monitoring staff in the process and the Department appears to be on pace to meet their December target date to make the conversion.

Impact of Mixed Caseloads on Accuracy of Automated *Brian A.* Caseload Reporting After Implementation of the Case Assignment Enhancement

The Department has shared with Plaintiffs' counsel and with the TAC the design of the automated *Brian A.* caseload compliance reports that will be run once the case assignment enhancement has been implemented. Because the Department has to design the caseload reports to accommodate both the case assignment data entered using the new interface and the converted case assignment data from the existing cases assigned under the original interface, there will remain a set of what are called "non-custodial FSS cases" which will continue to be counted as single cases in the new caseload compliance reports. The automated caseload reports will continue to treat each non-custodial FSS case on a case manager's caseload as a single case for purposes of caseload reporting, irrespective of whether that non-custodial FSS case involves a single child or a large sibling group. For this reason, even with the new automated caseload reports that will be available after the enhancement, for at least some period of time, the *Brian A.* caseload compliance reports may not accurately report the child count for those case managers who have mixed caseloads that include at least one *Brian A.* class member and at least one non-custodial FSS case.

Fortunately, as discussed in the May 2014 Monitoring Report, the Department has decided to move away from having mixed caseloads of *Brian A.* cases and non-custodial FSS cases. The Department has already made great progress reducing the number of case managers with these kinds of mixed caseloads. In January of 2014 there were 212 case managers with these mixed caseloads. By July 2014, there were only 38 such case managers.²

Even if, at the time that the case assignment enhancement is implemented, there remain some small numbers of *Brian A.* case managers who have a non-custodial FSS case on their caseload, because the numbers of these mixed caseloads will be so small, this will not significantly affect the accuracy of the *Brian A.* caseload compliance reports. And, in any event, the TAC, in its monitoring and reporting, will be identifying this handful of case managers, determining the number of children represented by any FSS case on their caseload, and adjusting accordingly the caseload compliance data that the TAC presents in its monitoring reports.

² Of those 38 case managers with these mixed caseloads, 19 had only one non-custodial "family count" case; an additional six had two "family count" cases and another six had three "family count cases." Four case managers had caseloads that involved only one *Brian A.* child.

Conclusion

The TAC anticipates that even with the thoughtful and thorough approach that the Department is taking to address the data conversion challenges in advance of the release of the new case assignment interface, there will be some amount of data cleanup necessary in the months after the release. In addition, there are reports, beyond caseload reports, that will be affected by the case assignment redesign. The Department has designated 22 of these currently running reports that will be affected as “high priority” and is working to make changes to the scripts for running those reports. Again, one would expect a certain amount of cleanup to be associated with those reports as well for a month or two after the “go live” date.

Even after the new case assignment enhancement is implemented, the TAC will continue to track and report caseloads using the validated processes that it has employed to provide the updated data in Appendix A, until such time as the TAC is satisfied that the new aggregate caseload reports from TFACTS are accurate.

APPENDIX A

Brian A. Caseload Compliance Data, January 2014-June 2014

The following table presents caseload compliance data for the first six months of 2014, statewide and by region. As discussed in the May 2014 Monitoring Report, the caseload tracking spreadsheets contained the number of custody *children*, the number of *children* for certain non-custody cases, and the number of *cases* for other types of non-custody cases. Beginning in May 2014, the Department revised the caseload tracking process to count the number of *children* for all case types, custody and non-custody, that are carried by *Brian A.* workers.³ Therefore, the compliance percentages for January through April 2014 in the table below are based on counts of custody *children* and non-custody *cases*, but the compliance percentages for May and June 2014 are based on counts of *children* for both custody and non-custody cases.⁴

Of Case Managers Carrying at Least One <i>Brian A.</i> Case, Percentage Meeting Caseload Requirements as of the Last Day of Each Month						
Region	Jan-14	Feb-14	Mar-14	Apr-14	May-14	Jun-14
Davidson	91%	94%	97%	100%	97%	97%
East Tennessee	97%	100%	95%	97%	97%	97%
Knox	100%	100%	100%	100%	100%	100%
Mid-Cumberland	97%	98%	98%	96%	98%	100%
Northeast	90%	98%	100%	94%	90%	95%
Northwest	100%	98%	95%	100%	68%	77%
Shelby	100%	98%	95%	100%	100%	100%
Smoky Mountain	87%	94%	86%	98%	83%	86%
South Central	100%	97%	100%	100%	100%	100%
Southwest	100%	100%	97%	100%	83%	83%
Tennessee Valley	98%	94%	98%	100%	98%	100%
Upper Cumberland	85%	96%	94%	94%	98%	92%
Statewide	95%	97%	96%	98%	93%	95%

³ TAC monitoring staff were actively involved in the design of this revised process and validated the accuracy of the child counts for mixed caseloads through review of the data, spot checks, and telephone interviews.

⁴ The TAC will continue to report *Brian A.* caseloads based on the number of children, unless and until the Department establishes a mixed caseload measure pursuant to Section V.J of the Settlement Agreement.

APPENDIX B

TFACTS Workload Screen Shots as of September 16, 2014

SCREEN SHOT 1

TFACTS **SIG** [home](#) | [search](#) |

Home Intake **Case** Resource Financial

Case Workload

Caseworker: Reynolds-Christian, Shonda L. **Brian A. Team Leader** Case Name (Ascending) Filter Clear Form

Allen, Jonathan K (6)	5 case managers supervised by Team Leader Reynolds-Christian (Number of <i>family</i> cases assigned to each case manager is shown in parentheses)
Burrow, Nakeda (6)	
Deyoung, Deidre L (6)	
Gaiter, Kleopatra (10)	
Nesmith, Terrill L (4)	
Reynolds-Christian, Shonda L. (32)	Team Leader Reynolds-Christian is assigned as the "supervisor" to 32 <i>family</i> cases

SCREEN SHOT 2


STG

[home](#) | [sea](#)

Home
Intake
Case
Resource
Financial

Case Workload

Caseworker: Reynolds-Christian, Shonda L. ▼

Sort By: Case Name (Ascending) ▼

Filter
Clear Form

⊞ **Allen ,Jonathan K** (6)

⊞ **B [REDACTED] C [REDACTED]** [[29 \[REDACTED\] 577](#)] - Open 06/05/2014 - (Worker Role: Role Primary Case Worker,Family Service Worker)

⊞ **I [REDACTED], T [REDACTED]** [[28 \[REDACTED\] 956](#)] - Open 05/25/2012 - (Worker Role: Role Primary Case Worker,Family Service Worker)

⊞ **P [REDACTED] D [REDACTED]** [[29 \[REDACTED\] 099](#)] - Open 09/12/2012 - (Worker Role: Role Family Service Worker,Primary Case Worker)

⊞ **R [REDACTED] C [REDACTED]** [[27 \[REDACTED\] 172](#)] - Open 04/05/2013 - (Worker Role: Role Family Service Worker,Primary Case Worker)

⊞ **S [REDACTED], K [REDACTED]** [[35 \[REDACTED\] 530](#)] - Open 06/28/2011 - (Worker Role: Role Family Service Worker,Primary Case Worker)

⊞ **S [REDACTED], W [REDACTED]** [[84 \[REDACTED\] 0507](#)] - Open 08/06/2014 - (Worker Role: Role Family Service Worker,Primary Case Worker)

⊞ **Burrow ,Nakeda** (6)

⊞ **Deyoung ,Deidre L** (6)

⊞ **Gaiter ,Kleopatra** (10)

⊞ **Nesmith ,Terrill L** (4)

⊞ **Reynolds-Christian ,Shonda L.** (32)

Case Manager Jonathan Allen's workload expanded to show hyperlinks to the 6 *family* cases to which he is assigned


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SCREEN SHOT 3

The screenshot shows the TFACTS web application interface. At the top, there is a navigation bar with the TFACTS logo on the left, the text 'STG' in the center, and links for 'home', 'search', and 'inc' on the right. Below this is a horizontal menu with five tabs: 'Home', 'Intake', 'Case', 'Resource', and 'Financial'. The 'Case' tab is currently selected. A red rectangular box highlights a text annotation that reads: 'Case Manager Jonathan Allen's workload screen, showing the same 6 family cases that Team Leader Reynolds-Christian sees on her screen (Screen Shot 2 above)'. Below the menu, the 'Case Workload' section is visible. It includes a 'Caseworker:' dropdown menu set to 'Allen, Jonathan K', a 'Sort By:' dropdown menu set to 'Case Name (Ascending)', and two buttons: 'Filter' and 'Clear Form'. Below these controls, a list of six cases is displayed, each preceded by a plus icon in a square. The cases are as follows:

- Allen, Jonathan K (6)
- B [redacted] C [redacted] [29 [redacted] 577] - Open 06/05/2014 - (Worker Role: Role Primary Case Worker, Family Service Worker)
- I [redacted] T [redacted] [28 [redacted] 356] - Open 05/25/2012 - (Worker Role: Role Primary Case Worker, Family Service Worker)
- P [redacted] D [redacted] [29 [redacted] 99] - Open 09/12/2012 - (Worker Role: Role Family Service Worker, Primary Case Worker)
- R [redacted] C [redacted] [27 [redacted] 172] - Open 04/05/2013 - (Worker Role: Role Family Service Worker, Primary Case Worker)
- S [redacted] K [redacted] [35 [redacted] 530] - Open 06/28/2011 - (Worker Role: Role Family Service Worker, Primary Case Worker)
- S [redacted] W [redacted] [84 [redacted] 1507] - Open 08/06/2014 - (Worker Role: Role Family Service Worker, Primary Case Worker)

SCREEN SHOT 4


STG

[home](#) |
 [search](#) |
 [help & training](#) |
 [customer care](#) |
 [log off](#)

Logged In: Reynolds-Christian, Shonda L. [Davidson Region]

[Home](#) |
 [Intake](#) |
 [Case](#) |
 [Resource](#) |
 [Financial](#) |
 [Administration](#)

[Workload](#) |
 [Due Process](#)

[help](#)

[Case Overview](#)
[Case Recording](#)
[Case Conference Notes](#)
[Forms/Notices](#)
[Checklist](#)

[Assessments](#)
[Document](#)
[Investigations Linked](#)
[Immediate Protection Agreement](#)
[Good Faith Attempts / Diligent Search Efforts](#)
[Child Care Assistance Program Referral](#)

[Case Members Legal History](#) |
 [Case Court Actions](#)

Case Header

Case ID: 2977

Case Name: B, C

Case Status: Open

Organization: Davidson Region


Case Members

Case Members	Current/Last Legal Status	Effective Date	End Date	View History	
C, B	DCS Custody - Court Ordered	05/22/2003	12/15/2003	Legal Status	Court Action
M, M	DCS Custody - Court Ordered	08/29/2014		Legal Status	Court Action

Close

Custody information for the children in the first family case on Case Manager Jonathan Allen's workload

SCREEN SHOT 5


STG

Home
Intake
Case

Work Assignments

Assignments for: Self Show

- + [Tucker, Carla \(EI37076\)](#)

Workload view of Team Coordinator Carla Tucker, who supervises Team Leader Reynolds-Christian. The total number of *family* cases handled by the case managers on each team is indicated in parentheses for each team leader.
- + [Bell, Eric E \(EI37423\)](#)

+ [Assigned Cases \(0\)](#)

Supervisor of Well-Being staff (SAT coordinators & TennCare Representative)
- + [Bradley, Trina L \(EI37183\)](#)

+ [Assigned Cases \(0\)](#)

Administrative Assistant to Team Coordinator Tucker
- + [Bryant, Angela D \(EI37706\)](#)

+ [Assigned Cases \(42\)](#)

Brian A. / Extension of Foster Care Team Leader
- + [Edwards, Billie N \(EI37110\)](#)

+ [Assigned Cases \(47\)](#)

Brian A. Team Leader
- + [Goodman, David P. \(EI31089\)](#)

+ [Assigned Cases \(0\)](#)

Brian A. Team Leader, retired effective 7/31/14; replaced by Billie Edwards
- + [Gordon, Vikkeya M \(EI37177\)](#)

+ [Assigned Cases \(45\)](#)

Brian A. Team Leader
- + [Reynolds-Christian, Shonda L. \(EI31330\)](#)

+ [Assigned Cases \(32\)](#)

Brian A. Team Leader
- + [Sawyers, Sevara W \(EI37539\)](#)

+ [Assigned Cases \(83\)](#)

Non-custody Team Leader
- + [Streiff, Pete \(EI37272\)](#)

+ [Assigned Cases \(88\)](#)

Non-custody Team Leader

Assign

EXHIBIT 2

ADDENDUM TO THE AUGUST 27 SUPPLEMENT TO THE MONITORING REPORT
Brian A. Technical Assistance Committee
September 17, 2014

The following is supplemental information that the Technical Assistance Committee had provided to the parties following the issuance of the May 2014 Monitoring Report and that, together with the information presented in the Monitoring Report, provided the basis for the parties' agreement to move Section IX.B.2 into maintenance. This information was inadvertently omitted from the Supplement to the Monitoring Report issued by the Technical Assistance Committee on August 27, 2014.

Section IX.B.2: Timeliness of Resource Home Approval

This provision requires that home studies for those applying to be resource parents be completed within 90 days of the applicant's completion of the approved new resource parent training curriculum (known as PATH classes), unless the prospective resource parent defaults or refuses to cooperate.

According to the PATH Completion within 90 Days Report, 239 DCS resource homes were approved in the 4th quarter of 2013 and had PATH completion information entered into TFACTS.¹

Of the 239 homes, 194 (81%) were approved within 90 days of completing PATH. An additional 28 homes were approved within 120 days (meaning that 93% of homes completed PATH within 120 days of approval), and the remaining 17 homes were approved within 150 days.

Of the 45 homes that were not approved within 90 days, there were 31 homes for which the TAC staff had an opportunity to review a "waiver form"—a form which the regions are supposed to fill out any time approval has or is expected to exceed the 90 day time frame (or the 120 day time frame for kinship resource home approval). The region is expected to provide on that form the reason(s) for the delay in the approval process. Of the 32 "waiver" forms reviewed:

- Fourteen (14) described delays attributable to the family (such as travel, failure to complete actions steps, failure to provide needed documentation, or get references turned in in a timely manner);
- Eight (8) described delays attributable to the Department or to the contracted home study agency (for example high caseloads; prioritizing approval of kinship families, resulting in delay in non-kin cases)
- One (1) involved a kinship home for which approval had to be delayed in order to comply with the Department's internal process for reviewing a situation in which approval is sought for a kinship resource parent who has been the subject of a criminal charge. (In that case it took 148 days to complete the additional review and receive approval).

¹ As reported in the May 2014 Monitoring Report, eleven additional homes were approved during this time period but did not have PATH completion information in TFACTS. These homes were excluded from the analysis presented in this supplement. TAC monitoring staff followed up on each of these homes and found PATH documentation on all eleven to ensure they had completed training.

- Nine (9) either did not have a clear explanation or the explanation contained information that suggested a combination of factors, some attributable to the family and some attributable to the Department, that resulted in the delay.

Of the 13 homes for which waivers were not yet received for review by the TAC, 10 were homes that had been approved within 100 days (four of those were 91 days). The remaining three had been approved in the following number of days: 111, 119, and 129.